



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Richard J. WHITBOURNE *et al.*

Appln. No. 09/834,307

Confirmation No. 3036

Filed: April 12, 2001

For: TARGETED THERAPEUTIC AGENT  
RELEASE DEVICES AND METHODS OF  
MAKING AND USING THE SAME

Art Unit: 1618

Examiner: M.P. Young

Atty. Docket No. 32286-192724

Customer No.  
26694  
PATENT TRADEMARK OFFICE

**FIFTH INFORMATION DISCLOSURE STATEMENT**

***Mail Stop: RCE***

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97, and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08A. Documents **A1-A43** are all U.S. documents, and copies are not required to be submitted. A copy of each of documents **B1-B4** is provided herewith pursuant to 37 C.F.R. § 1.98(a)(2)(i). Because each of documents **B1-B4** is in the English language, no concise explanation of the relevance of each document is required to be submitted under 37 C.F.R. § 1.98(a)(3)(i). It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement accompanies a Request for Continued Examination filed pursuant to 37 C.F.R. § 1.114, which is being filed concurrently. Accordingly, no fee is

believed to be due since this Information Disclosure Statement is filed within the time period set forth in 37 C.F.R. § 1.97(b)(4).

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists. In accordance with 37 C.F.R. § 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 C.F.R. §§ 1.97 and 1.98, and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 22-0261, under Order No. 32286-192724.

Respectfully submitted,



Michael A. Gollin  
Registration No. 31,957  
VENABLE LLP  
P.O. Box 34385  
Washington, D.C. 20043-9998  
Telephone: (202) 344-4000  
Telefax : (202) 344-8300

Date: April 18, 2007

MAG:RMF/SJB  
#844512



PTO/SB/08a/b (07-06)

Approved for use through 09/30/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	09/834,307
				Filing Date	April 12, 2001
				First Named Inventor	Richard J. WHITBOURNE
				Art Unit	1618
				Confirmation Number	3036
				Examiner Name	M.P. Young
				Attorney Docket Number	32286-192724
Sheet	1	of	2		

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	A1	5,716,981	02-10-1998	HUNTER <i>et al.</i>	
	A2	6,515,016	02-04-2003	HUNTER	
	A3	5,616,608	04-01-1997	KINSELLA <i>et al.</i>	
	A4	6,403,635	06-11-2002	KINSELLA <i>et al.</i>	
	A5	6,599,928	07-29-2003	KUNZ <i>et al.</i>	
	A6	6,491,938	12-10-2002	KUNZ <i>et al.</i>	
	A7	6,171,609	01-09-2001	KUNZ	
	A8	5,733,925	03-31-1998	KUNZ <i>et al.</i>	
	A9	6,074,659	06-13-2000	KUNZ <i>et al.</i>	
	A10	6,268,390	07-31-2001	KUNZ	
	A11	6,306,421	10-23-2001	KUNZ <i>et al.</i>	
	A12	6,515,009	02-04-2003	KUNZ <i>et al.</i>	
	A13	6,491,666	12-10-2002	SANTINI, Jr. <i>et al.</i>	
	A14	7,052,488	05-30-2006	UHLAND	
	A15	7,135,039	11-14-2006	De SCHEERDER <i>et al.</i>	
	A16	6,656,162	12-02-2003	SANTINI, Jr. <i>et al.</i>	
	A17	6,699,281	03-02-2004	VALLANA <i>et al.</i>	
	A18	6,783,543	08-31-2004	JANG	
	A19	6,616,765	09-09-2003	CASTRO <i>et al.</i>	
	A20	7,041,130	05-09-2006	SANTINI, JR. <i>et al.</i>	
	A21	6,241,762	06-05-2001	SHANLEY	
	A22	6,254,632	07-03-2001	WU <i>et al.</i>	
	A23	6,273,908	08-14-2001	NDONDO-LAY	
	A24	6,395,326	05-28-2002	CASTRO <i>et al.</i>	
	A25	6,273,913	08-14-2001	WRIGHT <i>et al.</i>	
	A26	5,843,172	12-01-1998	YAN	
	A27	5,972,027	10-26-1999	JOHNSON	
	A28	6,071,305	06-06-2000	BROWN <i>et al.</i>	
	A29	6,096,070	08-01-2000	RAGHEB <i>et al.</i>	
	A30	5,707,385	01-13-1998	WILLIAMS	
	A31	5,797,898	08-25-1998	SANTINI, Jr. <i>et al.</i>	
	A32	5,059,211	10-22-1991	STACK <i>et al.</i>	
	A33	5,306,286	04-26-1994	STACK <i>et al.</i>	
	A34	5,523,092	06-04-1996	HANSON <i>et al.</i>	
	A35	4,531,933	07-30-1985	NORTON <i>et al.</i>	
	A36	5,882,335	03-16-1999	LEONE <i>et al.</i>	
	A37	US 2005/0181977	08-18-2005	HUNTER <i>et al.</i>	
	A38	US 2005/0283228	12-22-2005	STANFORD	
	A39	US 2006/0129231	06-15-2006	De SCHEERDER <i>et al.</i>	
	A40	US 2002/0038145	03-28-2002	JANG	
	A41	US 2002/0082680	06-27-2002	SHANLEY <i>et al.</i>	
	A42	US 2001/0032011	10-18-2001	STANFORD	
	A43	US 2004/0166140	08-26-2004	SANTINI, Jr. <i>et al.</i>	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--



PTO/SB/08a/b (07-06)

Approved for use through 09/30/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>Substitute for form 1449A/B/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	09/834,307
				Filing Date	April 12, 2001
				First Named Inventor	Richard J. WHITBOURNE
				Art Unit	1618
				Confirmation Number	3036
				Examiner Name	M.P. Young
Sheet	1	of	2	Attorney Docket Number	32286-192724

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	B1	WO 98/23228	06-04-1998	ALZA CORP		
	B2	EP 0950386	10-20-1999	CORDIS CORP		
	B3	EP 1261297	12-04-2002	ADVANCED LASER APPLICATIONS HOLDING SA		
	B4	EP 0850604	07-01-1998	SORIN BIOMEDICA CARDIO, SpA		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicants' unique citation designation number (optional). <sup>2</sup>Applicants are to place a check mark here if English-language Translation is attached

#844561

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--